



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JLP:ddj
Docket No: 4764-02
4 September 2002

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 4 September 2002. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by NPC memorandum 1811 Pers 822 of 26 July 2002, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

BUREAU OF NAVAL PERSONNEL

5720 INTEGRITY DRIVE

MILLINGTON TN 38055-0000

1811

PERS-822

26 Jul 02

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: Assistant for BCNR Matters, PERS-00ZCB

Subj: COMMENTS AND RECOMMENDATION ICO [REDACTED]

Ref: (a) NPC memo 5420 PERS-00ZCB of 28 Jun 02
(b) Title 10 U.S. Code 971

Encl: (1) Statement of Service of 26 Jul 02
(2) BCNR file

1. Reference (a) request comments and recommendations in subject officer's case. Specifically, Petitioner requests a correction to his Certificate of Release or Discharge from Active Duty (DD 214) to include time spent in the Naval Academy.

2. Enclosure (1) is provided to document member's time in the Naval Academy. Per reference (b) this time is not creditable for any purpose and therefore is not included and cannot be added as active duty on the member's DD 214.

3. Enclosure (2) is returned.

[REDACTED]
Branch Head, Officer Retirements

Name: [REDACTED] 09
 SSN: [REDACTED] Designator: 1110 Date of Report: 07/26/02

Statement of Service

Inactive Active Training Subtotals
 Active Inactive

USNR-E	07/28/44	08/06/44				0	0	9
USNR-E		08/07/44	09/28/45			1	1	22
USN-E		09/29/45	06/16/48			2	8	18
	Midshipman, U. S. Naval Academy from 06/17/48 to 06/05/52 not creditable							
USN-O		06/06/52	04/30/78			25	10	25
DATE OF BIRTH: 09/04/26		PEBD: 07/17/48		ADSD: 07/26/48				
ACBD: 06/06/52		PSD:		ELIGIBLE TO RETIRE: 1968				
DGAD: 06/06/52		PREV. MIL. SERV.	BRANCH: N		YEAR BEGAN: 1944		MOS. 46	
AVIATION COMMISSION DATE			HIGHEST GRADE SN		OVER 4 YEARS A-E			

This statement supersedes all prior statements of service

Examiner: R / Reviewer: _____